

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY SMITH,

Defendant.

NO. CR18-297 RSL

**DISCOVERY PROTECTIVE ORDER**

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant Timothy Smith, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and investigators, paralegals, law clerks, experts, and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team). This category of Protected Materials will be marked and labeled as "Protected Material":

DISCOVERY PROTECTIVE ORDER - 1  
*United States v. Timothy Smith*, CR18-297 RSL

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE  
5220  
SEATTLE, WA 98101  
(206) 553-7970

1 a. Grand Jury transcripts and exhibits.

2 b. Visual images of the alleged victim including but not limited to  
3 video recordings of interviews of the alleged victim

4 c. Records, reports, and documents related to medical visits and  
5 examinations, children's advocacy centers and agencies, Child Protective Services, and  
6 schools.

7 Scope of Protected Material

8 Defense attorneys of record and members of the defense team may display and  
9 review the Protected Material with the Defendant. The attorneys of record and members  
10 of the defense team acknowledge that providing copies of the Protected Material to the  
11 Defendant and other persons outside the defense team is prohibited, and agree not to  
12 duplicate or provide copies of Protected Material to the Defendant and to other persons  
13 outside the defense team.

14 3. Consent to Terms of Protective Order

15 Lead defense counsel's signature on the stipulated motion shall serve as written  
16 consent that members of his defense team acknowledge and agree that they will each be  
17 bound by the terms and conditions of this Protective Order. Lead defense counsel is  
18 responsible for disseminating this order to each member of the defense team.

19 4. Parties' Reciprocal Discovery Obligations

20 Nothing in this order should be construed as imposing any discovery obligations  
21 on the government or the defendant that are different from those imposed by case law and  
22 Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

23 5. Filing of Protected Material

24 Any Protected Material that is filed with the Court in connection with pre-trial  
25 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and  
26 shall remain sealed until otherwise ordered by this Court. This does not entitle either  
27 party to seal their filings as a matter of course. The parties are required to comply in all  
28

1 respects to the relevant local and federal rules of criminal procedure pertaining to the  
2 sealing of court documents.

3       6.     Non-termination

4       The provisions of this Order shall not terminate at the conclusion of this  
5 prosecution and shall remain in effect until further order by the court.

6       7.     Violation of Protective Order

7       Any violation of any term or condition of this Order by the Defendant, the  
8 attorneys of record, including the government attorneys, or any member of the defense  
9 team may result in the violator being held in contempt of court and/or subject to  
10 monetary or other sanctions as deemed appropriate by this Court.

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1 If a Defendant violates any term or condition of this Order, the United States  
2 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file  
3 any criminal charges relating to any Defendant's violation.

4 DATED this 11<sup>th</sup> day of January, 2019.

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6 

7 ROBERT S. LASNIK  
8 United States District Judge

9 Presented by:

10 /s/ Cecelia Y. Gregson

11 CECELIA Y. GREGSON

12 /s/ Jesse Cantor

13 JESSE CANTOR